

BUREAU OF DETECTIVES SPECIAL ORDER	Date of Issue 01 Jan 2015	Effective Date 01 Jan 2015	No. 15-22
Subject JUSTIFIABLE HOMICIDES		Amends	
Related Directives		Rescinds	

I. PURPOSE

This order outlines the Bureau of Detectives policy and the Uniform Crime Reporting requirements for justifiable homicides.

II. JUSTIFIABLE HOMICIDES

- A. Uniform Crime Reporting defines a justifiable homicide as either;
 - 1. **the killing of a felon by a peace officer in the line of duty, or**
 - 2. **the killing of a felon by a private citizen during the commission of a felony.**
- B. Cases in which **self-defense** is the sole reason for the killing do not meet the UCR definition of a justifiable homicide. Detectives will ordinarily classify these cases as homicide/second degree murder.

***Note:** If the State's Attorney's Felony Review Unit does not approve first or second degree murder charges against the person responsible for the death, the detective will exceptionally clear the case.

***Note:** Classifying a self-defense killing as a homicide/second degree murder does not infer criminal liability upon the person who caused the death. It is merely a UCR classification utilized to record the willful killing of the victim.

III. REPORTING PROCEDURES FOR JUSTIFIABLE HOMICIDES

- A. When an incident is determined to be a justifiable homicide, the assigned detective will obtain a second RD number. The first case will bear the classification of the crime the felon was committing. The second RD number will be for the justifiable homicide. Detectives will not identify a person lawfully entitled to use deadly force as an "Offender."
- B. The facts detailing the entire investigation will be reported in the justifiable homicide report.

***Note:** The narrative section of the original felony report will state, "The facts of this case are reported under RD# _____. For complete details, refer to that investigation."

- C. A request in the form of a "To / From report will be prepared and directed to the "Director, Records Division, Attention: Record Inquiry Unit," requesting that the other felony report be held in permanent retention.
- D. Detectives will not obtain a second RD number in an exceptionally cleared second degree homicide when self-defense is the sole reason for the killing by a private citizen.
- E. Detectives will state in their reports that no charges were placed at this time. They will not state that the use of deadly force was justified.
- F. The State's Attorney's reason(s) for not filing charges will be documented in the Supplementary Report.



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